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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/787,472 | 03/15/2001 | Rajendra Kumar | KHY.P.US0052 | 2521 |

24293 7590 07/21/2003

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EXAMINER

HARTMAN JR, RONALD D

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2121

DATE MAILED: 07/21/2003

3

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/787,472

Applicant(s)

KUMAR, RAJENDRA

Examiner

Ronald D Hartman Jr.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-26 are presented for examination.
2. Priority is granted for 7/15/1999.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or
(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

4. Claims 1, 7-10 and 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Laureanti, U.S Patent No. 6,188,917; having an effective filing date of 9/16/1998.
5. As per claims 1 and 23, Laureanti teaches a device comprising:
 - a handheld unit including a processor and a display communicating with said processor (Figure 1 element 14 and 38 and their corresponding textual descriptions);
 - a handset including means for voice input and means for voice output (Figure 1 element 12);

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- a mechanism for docking said handset with said handheld unit, forming a docked unit, said docked unit dimensioned to be held in one hand while being used for voice input and voice output (Figure 2 and Figure 1 element 46); and
 - at least one connection for carrying voice representative signals between said handheld unit and said handset (Figure 1 elements 32 and 54 and their corresponding textual descriptions and C2 L50-56).
6. As per claims 7-10, Laureanti teaches a cellular telephone system for wirelessly (Figure 1 element 16) communicating to a remote location (C2 L38-43 and C5 L1-17).
7. As per claim 23, a microphone and speaker are inherent to a cellular telephone.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
9. Claims 2 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Laureanti, as applied to claims 1 and 23, respectively, above.

10. As per claims 2 and 24, although Laureanti does not specifically teach an optical, R/F or cable link, they are all believed to be obvious variations of the disclosed data port and the interconnecting wire contacts that are located on both the phone and the PDA (Figure 1 element 32 and 54). That is, since the use of the link is merely to provide a means by which information may be communicated between the interconnected devices, and since Laureanti clearly teaches the use of such a feature, the use of another type of link, such as those listed above, would be an obvious variation of the disclosed link since they merely provide different means for accomplishing the same goal, that is, to allow for communications to commence between the connected devices. Therefore, for at least these reasons, the use of an optical, R/F or cable link is believed to be a feature that would have been obvious to one of ordinary skill in the art at the time the invention was made.

11. Claims 3-4 and 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Laureanti, as applied to claims 1 and 23, respectively, above, in view of PCT International Publication Number WO 85/04301 (hereafter: Cockburn); having a publish date 9/26/1985.

As per claims 3-4 and 25-26, Laureanti does not specifically teach a flexible loop for carrying the handset around a users ear.

Cockburn teaches a flexible loop for carrying a handset around a users ear.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have allowed for Cockburn's phone holding means to be

incorporated into the design of Laureanti as it would form a more effective way of using the hybrid cell phone/PDA since it would afford a user greater flexibility with hands free operation of the phone, thereby allowing the user to use his/her hands for operation of the PDA or any other equipment concurrently while using the phone.

12. Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Laureanti, as applied to claim 1 above, in view of Parulski, U.S Patent No. 6,122,526, in further view of "Official Notice".

As per claims 5-6, Laureanti does not teach the use of a camera within the confines of the cellular telephone.

Parulski teaches a cellular telephone having a camera (C4 L33-48).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated a camera into the functions of a cellular telephone as it would provide the user with the ability to send and receive pictures which helps to create a more flexible platform from which the user may communicate with others.

Furthermore, as per claim 6, "Official Notice" is taken with respect to flip type phones. That is, since the use of "flip type" phones is well known in the art for providing a means by which the internal operating functions of the phone may be protected, a feature whereby the camera is placed on a panel of a flip type phone would be obvious (thereby realizing the rot table joint claimed) since it would provide a means by which the camera lens may be protected from being scratched or broken.

13. Claims 11 and 13 are rejected as being unpatentable over Laureanti, as applied to claim 1 above, in view of Palermo, U.S Patent Application No. 2003/0050011; having an effective filing date of 5/18/1995.

As per claim 11, the rejection of claim 1 above is applied.

Furthermore, as per claim 11, Laureanti does not specifically teach the ability of the PDA and the telephone to communicate with one another when they are not physically connected together.

Palermo teaches a system whereby a base unit (such as a PDA; [0021]) may communicate with a portable device (such as a telephone; [0021]) using short-range communication signals.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated the teachings of Palermo into the disclosed system of Laureanti as it would allow for the devices (PDA and the telephone) to communicate with one another even when they are separated by some distance. This ability allows for greater flexibility from a usage standpoint and would therefore forms a system that is more practical as it would facilitate the hands free operation disclosed by Laureanti.

As per claim 13, although Laureanti does not specifically teach an optical, R/F or cable link, they are all believed to be obvious variations of the disclosed data port and the interconnecting wire contacts that are located on both the phone and the PDA (Figure 1 element 32 and 54). That is, since the use of the link is merely to provide a means by which information may be communicated between the interconnected

devices, and since Laureanti clearly teaches the use of such a feature, the use of another type of link, such as those listed above, would be an obvious variation of the disclosed link since they merely provide different means for accomplishing the same goal, that is, to allow for communications to commence between the connected devices. Therefore, for at least these reasons, the use of an optical, R/F or cable link is believed to be a feature that would have been obvious to one of ordinary skill in the art at the time the invention was made.

14. Claim 12 is rejected as being unpatentable over Laureanti, in view of Palermo, still in further view of Pardo, U.S Patent No. 6,266,539; having an effective filing date of 6/12/1998.

As per claim 12, the use of a rechargeable power source is inherent to a typical functioning cellular phone.

However, Laureanti's combined system (Laureanti in view of Palermo) does not specifically teach a docked unit that may be charged by the unit to which it is docked.

Pardo teaches a system whereby a PDA may be charged by a telephone docking station (C7 L19-29).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated a feature whereby the docked unit is charged by the unit to which it is docked since it would provide a simple means by which the device being used (a PDA or a telephone for example) may be charged when it is placed in a docked position to another unit (such as a base unit). Since the device

being used requires no actions other than to place the device in a docked position, charging becomes easier and the user does not have to worry about connecting small input plugs to the device being used. This creates a system that is easier to use since it does not requires extra wires and power adapters that must be plugged into a wall outlet.

15. Claims 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Laureanti, as applied to claim 11 above, in view of PCT International Publication Number WO 85/04301 (hereafter: Cockburn); having a publish date 9/26/1985.

As per claims 14-15, Laureanti does not specifically teach a flexible loop for carrying the handset around a users ear.

Cockburn teaches a flexible loop for carrying a handset around a users ear.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have allowed for Cockburn's phone holding means to be incorporated into the design of Laureanti as it would form a more effective way of using the hybrid cell phone/PDA since it would afford a user greater flexibility with hands free operation of the phone, thereby allowing the user to use his/her hands for operation of the PDA or any other equipment concurrently while using the phone.

16. Claims 16-22 are rejected as being unpatentable over Laureanti, as applied to claim 1 above, in view of Palermo (2003/0050011), in further view of Wilska, U.S Patent

No. 6,427,078; having an effective filing date of 2/27/1997; and in further view of "Official Notice".

As per claim 16, the rejection of claim 1 is applied.

Furthermore, as per claim 16, Laureanti does not specifically teach the ability of the PDA and the telephone to communicate with one another when they are not physically connected together.

Palermo teaches a system whereby a base unit (such as a PDA; [0021]) may communicate with a portable device (such as a telephone; [0021]) using short-range communication signals.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated the teachings of Palermo into the disclosed system of Laureanti as it would allow for the devices (PDA and the telephone) to communicate with one another even when they are separated by some distance. This ability allows for greater flexibility from a usage standpoint and would therefore forms a system that is more practical as it would facilitate the hands free operation disclosed by Laureanti.

17. Furthermore, as per claims 16 and 21, Laureanti' combined system (Laureanti in view of Palermo) does not specifically teach a card shaped peripheral that contains operative functions for operating a camera on the device to which the card attaches.

Wilska teaches the use of a card shaped peripheral that includes the functions for a camera (Camera card; Figure 1 element 15 and Abstract).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have included the teachings of Wilska into the combined system of Laureanti as it would provide a small compact way of introducing new features (such as a camera) to a pre-existing phone platform (such as a PDA, phone or hybrid of the two). This simple but effective way of allowing for the plugging in of new functions allows for a communication system that is more flexible and powerful and also offers a simple and convenient way of altering a phone to match the needs of the user.

18. As per claim 17, although Laureanti does not specifically teach an optical, R/F or cable link, they are all believed to be obvious variations of the disclosed data port and the interconnecting wire contacts that are located on both the phone and the PDA (Figure 1 element 32 and 54). That is, since the use of the link is merely to provide a means by which information may be communicated between the interconnected devices, and since Laureanti clearly teaches the use of such a feature, the use of another type of link, such as those listed above, would be an obvious variation of the disclosed link since they merely provide different means for accomplishing the same goal, that is, to allow for communications to commence between the connected devices. Therefore, for at least these reasons, the use of an optical, R/F or cable link is believed to be a feature that would have been obvious to one of ordinary skill in the art at the time the invention was made.

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19. As per claims 18-20, Laureanti teaches a cellular telephone system for wirelessly (Figure 1 element 16) communicating to a remote location (C2 L38-43 and C5 L1-17).

20. Furthermore, as per claim 22, "Official Notice" is taken with respect to flip type phones. That is, since the use of "flip type" phones is well known in the art for providing a means by which the internal operating functions of the phone may be protected, a feature whereby the camera is placed on a panel of a flip type phone would be obvious (thereby realizing the rot table joint claimed) since it would provide a means by which the camera lens may be protected from being scratched or broken.

Conclusion

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald D. Hartman Jr. whose telephone number is (703) 308-7001. The examiner can normally be reached Monday-Friday, 11:30 am – 8:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anil Khatri, can be reached at (703) 305-0282. The fax number for this examiner is (703) 746-5408.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9618.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Or faxed to:

(703) 746-7239, (for formal communications intended for entry)

Or:

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(703) 746-7240, (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor
(Receptionist).

Ronald D. Hartman Jr.
Patent Examiner
Art Unit 2121
July 16, 2003

A handwritten signature in black ink, appearing to read 'ANIL KHATRI', with a stylized, wavy flourish extending from the end.

ANIL KHATRI
PRIMARY EXAMINER